

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor( if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HOLDER FOR AN ELECTRONIC PRICE LABEL**

the specification of which:

☐ is attached hereto      ☒ was filed on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

☐ was filed as PCT \_\_\_\_\_ on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, ' 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, ' 119 or 365(b) of any foreign application(s) for patent or inventor=s certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed above and have also identified below, by check the box, any foreign application(s) for patent or inventor=s certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Certified Copy Attached?
-------------------	--------------------	---------------------------------	-----------------------------

I hereby claim the benefit under 35 U.S.C. 119(e) of an United States provisional application(s) listed below.

<u>60/487,091</u>	<u>14 July 2003</u>
Application No(s)	(Day/Month/Year Filed)

<u>60/453,9361</u>	<u>12 March 2003</u>
Application No(s)	(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States, ' 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, ' 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Tide 37, of Federal Regulations Code, ' 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ U.S. Parent Application or PCT Parent Number	_____ Parent Filing Date (MM/DD/YYYY)	_____ Parent Patent Number (If Applicable)
----------------------------------------------------------	---------------------------------------------	--------------------------------------------------

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Mark E. Bandy,	Reg. No. 35,788	Edward T. Kennedy,	Reg. No. 48,478	Patrick R. Roche,	Reg. No. 29,580
Brian G. Rembicki,	Reg. No. 41,463	Richard M. Klein,	Reg. No. 33,000	James E. Scurbrough,	Reg. No. 47,056
Alan C. Brundt,	Reg. No. 50,218	Thomas E. Kocovsky,	Reg. No. 28,383	Ann M. Skerry,	Reg. No. 45,655
John P. Cornely,	Reg. No. 41,687	Sandra M. Koenig,	Reg. No. 33,722	Mark S. Svat,	Reg. No. 34,261
E. Kent Daniels,	Reg. No. 19,598	Scott A. McCollister,	Reg. No. 33,961	Brian E. Turung,	Reg. No. 35,394
Joseph D. Drcher,	Reg. No. 37,123	James W. McKee,	Reg. No. 26,482	Robert V. Vickers,	Reg. No. 19,504
Matthew P. Dugan,	Reg. No. 44,663	Richard J. Minnich,	Reg. No. 24,175	Gregory S. Vickers,	Reg. No. 45,180
Christopher B. Fagan,	Reg. No. 22,987	Jay F. Moldovanyi,	Reg. No. 29,678	Joseph E. Waters,	Reg. No. 50,427
Patrick D. Floyd,	Reg. No. 39,671	Philip J. Moy,	Reg. No. 31,280	Thomas E. Young,	Reg. No. 28,924
Jude A. Fry,	Reg. No. 38,340	Timothy F. Nauman,	Reg. No. 32,283	John S. Zanghi,	Reg. No. 48,843
Steven M. Haas,	Reg. No. 37,841	Erik J. Overberger,	Reg. No. 48,556		
Karl W. Hauber,	Reg. No. 52,999	Sue Ellen Phillips,	Reg. No. 32,046		
Michael F. Hudzinski,	Reg. No. 34,185				

**DIRECT TELEPHONE CALLS TO:**

**DIRECT ALL CORRESPONDENCE TO:**

Jay F. Moldovanyi

Telephone: 216/861-5582

Facsimile: 216/241-1666

E-mail: [jmoldovanyi@faysharpe.com](mailto:jmoldovanyi@faysharpe.com)

Jay F. Moldovanyi

Fay, Sharpe, Fagan, Minnich & McKee, LLP

1100 Superior Avenue, 7th Floor

Cleveland, OH 44114-2518

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under ' 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first inventor: **JAMES A. BACNIK**

Inventor's Signature: 

Date: 3/4/04

Residence: Mentor, Ohio

Country of Citizenship: United States of America

Post Office Address: 7652 Chillicothe Road  
Mentor, Ohio 44060

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : James A. Bacnik  
FOR : HOLDER FOR AN ELECTRONIC PRICE  
LABEL  
SERIAL NO. : Unknown  
FILED : HEREWITH  
ATTORNEY DOCKET NO. : FFRZ 2 00153-3 (II)  
Cleveland, Ohio 44114

37 C.F.R. 1.27  
STATEMENT OF STATUS AS A  
SMALL BUSINESS ENTITY

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned affirms:

That he is an officer of the assignee, Fasteners For Retail, Inc., and is empowered to act on behalf of the assignee;

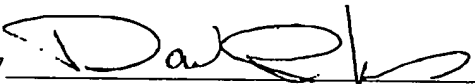
That the above listed assignee qualifies as a small business concern as defined in ' 1.9(d), in that the above listed assignee, together with all of its affiliates combined had fewer than five hundred (500) employees including full-time, part-time, and temporary employees on the average during each pay period of the previous fiscal year of the assignee and its affiliates; and,

That the exclusive rights to the invention have been conveyed to and remain with the small business concern or, if the rights are not exclusive, that all other rights belong to small entities as defined in 37 C.F.R. ' 1.9 and that the assignee has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

The undersigned acknowledges a duty to file, in this application or patents issuing thereon, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time or paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issuing thereon.

FASTENERS FOR RETAIL, INC.

By 

Title VP, Product Development

Date: 3/11/04